

MATERIAL LIST FOR
JUNE 9, 2014
COUNCIL AGENDA PACKETS

1. Copy of Agenda for the June 9th, 2014 Regular Council meeting.
2. Copy of Town Manager's report to Council.
3. Copy of minutes from the May 28th Regular Council Meeting.
4. Copy of Overview from the Educational Scholarship Committee regarding recipients of the 2014 Awards.
5. Copy of Town Meeting Articles 2 through 7 for June 10th Election.
6. Copy of proposed amendment to Title 5, Businesses and Licenses of the Town Code, Sec. 5.10, Use of the Public Way to allow outdoor seating in the Foreside Zone.
7. Copy of application from Capital Video Corp., Cranston, RI for a Viewing Booth License for Amazing.net, 92 Route 236, Kittery, Maine.
8. Copy of check from Seacoast Active Retirement Association in the amount of \$200.00 as a donation for the Kittery Community Center.
9. Copy of Memo to Chair Thomson, Town Council from Dan Corcoran, Chair, Route 1 By-pass Property Owners Group regarding Destination Marketing Program, Route 1 By-pass Branding.



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 Fax: (207) 439-6806

June 9, 2014

Kittery Town Council
Regular Meeting Agenda
7:00 p.m.

Council Chambers

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's Report
7. Acceptance of Previous Minutes – May 28, 2014
8. Interviews for the Board of Appeals and Planning Board
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.

The Kittery Town Council moves to recognize the recipients of the 2014 Educational (Recycling) Scholarships.

10. PUBLIC HEARINGS

- a. (060114-1) The Kittery Town Council moves to hold a public hearing, in accordance with Sec. 6.06(1) of the Town Charter on the 2014-15 Municipal and Adult Education budgets.
- b. (060114-2) The Kittery Town Council moves to hold a public hearing to receive comments on Town Meeting Articles 2 through 7 for the June 10th Election.
- c. (060114-3) The Kittery Town Council moves to hold a public hearing to receive comments on, and hereby ordains, proposed amendments to Title 5, Businesses and Licenses, of the Kittery Town Code, Sec. 5.10, Use of the Public Way to allow outdoor seating in the Foreside Zone.
- d. (060114-4) The Kittery Town Council moves to hold a public hearing, and approve, the renewal application of Capital Video Corporation, 44 Bedson Road, Cranston, RI for a Viewing Booths License for Amazing.net, 92 Route 236, Kittery, Maine.

11. DISCUSSION

- a. Discussion by members of the public (three minutes per person)
- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition

The Kittery Town Council moves to accept a check in the amount of \$200.00 from Seacoast Active Retirement Association to be deposited in Account #2063-43600, Kittery Community Center.

- b. (060114-5) The Kittery Town Council moves to approve the disbursement warrants.

c. (060114-6) The Kittery Town Council moves to approve branding the Route 1 Bypass as "Kittery Gateway" as part of the Town of Kittery's Destination Marketing Program.

14. COUNCILOR ISSUES OR COMMENT

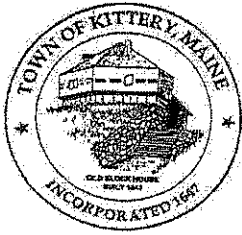
15. COMMITTEE AND OTHER REPORTS

- a. Communications from the Chairperson
- b. Committee Reports

16. EXECUTIVE SESSION

17. ADJOURNMENT

Posted: June 5, 2014



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

ncolbertpuff@kitteryme.org

Nancy Colbert Puff
Town Manager

Town Manager's Report to the Town Council June 9, 2014

1. **FEMA Flood Insurance Rate Map (FIRM) Changes**—As requested at our last meeting, I have attached a list of property owners that were a) originally identified in January to be newly located in the preliminary FIRMs (80), b) property owners who were identified after the January mailing as part of the Gerber analysis (7), c) owners whose properties were deemed “likely to benefit from an appeal,” in the Gerber analysis and whom were solicited for contributions to the appeal (40). Also attached is a memo from Chris DiMatteo, Assistant Planner, which explains why all properties originally identified were not included as part of the proposed appeal.
2. **FY 2015 Proposed Budget Amendments:** As noted during our workshops, I will provide new worksheets at the Council meeting to reflect several changes to the FY 2015 proposal which total an additional \$28,686. This translates into a total expenditure increase of 1.7% (and approximately \$0.02 additional on the tax rate). These changes are:
 - a. A new proposal under Administration to fund the FEMA appeal through the FY 2015 budget. At our last session, Council expressed concern that the item was incorrectly proposed as an emergency action – upon further consult with the Finance Director and the Chair, we agreed that this is a preferable method of financing this item;
 - b. An additional \$1,891 for Retiree Health Insurance;
 - c. Planning Department Legal Expense – an additional \$7,500 to better reflect current costs; and
 - d. A new change of (\$697) to the salary, FICA, Maine State Retirement, and ICMA lines across all Public Works divisions to reflect hiring the new Commissioner and prospective hiring of a new Foreman.
3. **Rare Turtle Crossings** – At the request of Councilor Spiller, I am in communication with the Conservation Commission to see where there are places in Kittery that would benefit from seasonal signage warning of rare turtle crossings.
4. **Shapleigh School area traffic analysis** – The Police Department is finishing up their analysis of this area, associated with the Title 16 proposed changes which were postponed in December.

5. **Shapleigh School parking overflow** – I discussed this item with the Superintendent, and she has assured me that the Department will be particularly mindful of carefully planning for parking during scheduled events.
6. **Kittery Community Center sign** - The Police Chief reports that the sign poses no obstacle to safe sight distances as he interprets our ordinance. The DPW Commissioner reports the sign installation varies slightly from the originally-planned location.
7. **Police Logs** – At the request of Councilor Denault, Police logs have been posted on the Police Department's web site since mid-April.
8. **Street Lighting checks** – The Police Department continues its policy of reporting upon lighting outages to Central Maine Power. Concerned residents may contact the PD to report outages.
9. **Stop light at Haley Road** – The DPW Commissioner has looked at the timing of the Haley Road traffic light and reports that it is working properly, and that the timing intentionally favors Route 1 through-traffic.
10. **Personnel Board** – I am meeting with Town Counsel regarding this item and will have an update on Monday evening.
11. **Tax Assessment Workshop** – The Chair and I have scheduled July 14th at 6 pm for as "Tax Assessment 101 for Property Owners" presentation by the Town Assessor.
12. **Route 1 & Walker Debris** – The DPW Commissioner has received a verbal commitment from Guilford railroad to remove leftover debris from this area, and continues to press for a date certain for this to be completed. Guilford has expressed the desire to retain storage of the ties within their property, but we will continue to advocate for a solution that involves a less prominent location.
13. **Special Thanks** – Nick Regan, a student at Traip Academy, has given 30 hours of his time in volunteering for the Rice Public Library – his effort is much appreciated! In addition, a crew member from the U.S.S. Alexandria has voluntarily put in some landscaping hours to spruce up Foreside in anticipation of the Block Party – his work is likewise much appreciated.

If you have any questions or concerns prior to Monday's evening's meeting, please do not hesitate to contact me. Thank you.

Respectfully Submitted,

Nancy Colbert Puff





Town of Kittery, Maine

200 Rogers Road, Kittery, ME 03904

Phone: 207-439-0459 Fax: 207-439-6806

www.kittery.org

MEMORANDUM

DATE: June 3, 2014

TO: Nancy Colbert Puff, Town Manager

FROM: Chris Di Matteo, Assistant Town Planner

INRE: FEMA PRELIM FIRM; SUPPLEMENTAL INFORMATION REQUESTED BY COUNCIL

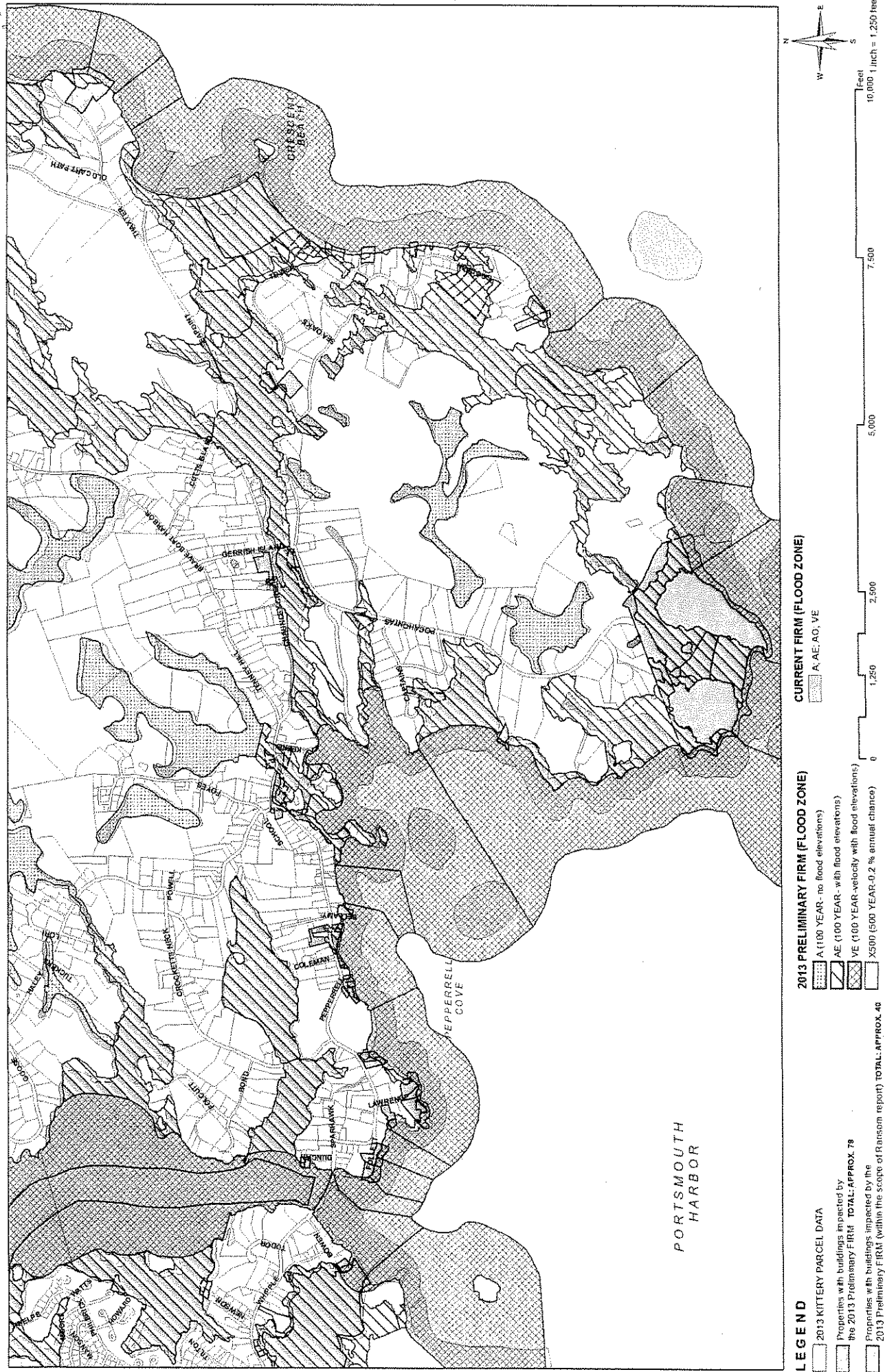
As requested attached is the mailing list information used to contact all properties that were found newly effected by the November 2013 Preliminary FIRM. Included are additional properties that were added subsequent to the initial January 27, 2014 letter resulting from further review. Properties identified in the Ransom report as good candidates for an appeal are indicated in **bold** on the attached spreadsheet, with the those properties subsequently added indicated in **bold** and a border. Also included are the total assessed values for the each of the properties.

You asked for more insight as to why properties, such as Mary Thron's property along Tower Road, effected by the preliminary FIRM are not among the properties included in the appeal recommended by Ransom. Robert Gerber, consulting engineer with Ransom, reviewed the entire coastline as part of the study. He found that the areas outside of what was recommended for appeal comprised of complex conditions that require a significant amount of assessment and calculations while having a low likelihood for a successful appeal. Based on his experience, Mr. Gerber focused his effort on identifying the area that is more easily challenge than to attempt the improbable or perhaps the impossible.

Please let me know if you require any more information.

Cc: Gerald Mylroie, Town Planner

OVERVIEW OF PROPERTIES THAT MAY HAVE STRUCTURES THAT ARE NEWLY IMPACTED ALONG THE COAST



TEXT NOT IN BOLD ARE PROPERTY OWNERS ORIGINALLY CONTACTED IN JANUARY 2014. INFORMATION THAT PRINCIPAL STRUCTURES WERE FOUND TO BE LOCATED IN THE FLOOD ZONE PER THE PRELIMINARY FIRM.										
BOLD TEXT INDICATES PROPERTIES WITHIN RANSOM APPEAL STUDY AREA AND CONTACTED AFTER COUNCIL WORKSHOP FOR SOLICITING FUNDS.										
BOLD TEXT WITH BORDER INDICATES PROPERTIES WITHIN THE APPEAL STUDY AREA THAT WERE NOT INITIALLY CONTACTED IN JANUARY 2014.										
MAPLOT	Location	Grantee	Cogrant	Mailing	City	State	Zip	Total Assessed Value		
1	10-01 150 WHIPPLE ROAD	TOURNAS, ARTHUR	D'ANTONIO, BARBARA	150 WHIPPLE ROAD	KITTERY	ME	03904	\$584,500		
2	10-02 148 WHIPPLE ROAD	DICKINSON, ANDREW	PRENTISS, BARBARA ANN	PO BOX 426	KITTERY	ME	03904	\$596,600		
3	10-07 118 WHIPPLE ROAD	TEFFERT, ROBERT W	TEFFERT, OLIVE C	118 WHIPPLE ROAD	KITTERY	ME	03904	\$465,500		
4	10-10 7 ROSE LANE	ROBICHAUD, ARTHUR WILLIAM	ROBICHAUD, CHRISTINE E	7 ROSE LANE	KITTERY	ME	03904	\$676,000		
5	10-17 98 WHIPPLE ROAD	TREFFERTEN, CLIFTON A	TREFFERTEN, DOROTHY C	100 WHIPPLE ROAD	KITTERY	ME	03904	\$487,300		
6	16-213 28 NEWSON AVENUE	HARRIS, MATTHEW C	COOK, KRISTINA L	32 LOGGING HILL ROAD	BOW	NH	03304	\$465,900		
7	16-215 154 WHIPPLE ROAD	LEMON, KENNETH F	LEMON, GAIL P	154 WHIPPLE ROAD	KITTERY	ME	03904	\$551,200		
8	17-09 51 BOWEN ROAD	HALL, MILTON E	MARJORIE K KUNKEL REV TR 8/28/97	51 BOWEN ROAD	KITTERY	ME	03904	\$684,900		
9	17-14 2 OLD FERRY LANE	KUNKEL TR, WILLIAM L	MARJORIE K KUNKEL REV TR 8/28/97	2 OLD FERRY LANE	KITTERY	ME	03904	\$420,300		
10	17-22 178 WHIPPLE ROAD	PICKE, BRUCE A	PICKE, THOMASINE	178 WHIPPLE ROAD	KITTERY	ME	03904	\$945,000		
11	17-26 30 NEWSON AVENUE	MCCARTNEY, DAVID E	MCCARTNEY, ELAINE L	19 RICHARDSON ROAD	HOLLIS	NH	03049	\$516,700		
12	18-04 7 DUNCAN WAY	BEGLEY, FRANK H	BEGLEY, DIANNE	7 DUNCAN WAY	KITTERY POINT	ME	03905	\$478,700		
13	18-05 9 DUNCAN WAY	TRUE, LILLIAN H		9 DUNCAN WAY	KITTERY POINT	ME	03905	\$522,500		
14	18-27 42 PEPPERELL ROAD	RODONETS, BRIAN M	RODONETS, JAN L	5483 NORTON ROAD	NAANAIMO	BC	V9T 5M1 CANADA	\$875,200		
15	18-28 40 PEPPERELL ROAD	GIBSON TR, BONNIE KNICKERBOCKE	BONNIE K GIBSON REV INT VIV TR	19 N HIDDEN HARBOUR DRIVE	GULFSTREAM	FL	33483	\$1,048,900		
16	18-32 9-11-13 LAWRENCE LANE	HOWELLS, WILLIAM DEAN & BENITHA C	METZ, MUREL GURDON H	13 LAWRENCE LANE	KITTERY POINT	ME	03905	\$2,164,900		
17	18-33 10 LAWRENCE LANE	KITTERY POINT PARTNERS LLC		PO BOX 278	KITTERY POINT	ME	03905	\$1,627,800		
18	18-35 4 LAWRENCE LANE	DIGIAMMARINO, DAWN		4 LAWRENCE LANE	KITTERY POINT	ME	03905	\$1,662,300		
19	18-36 2 FOLLETT LANE	CRAIG TR, DONALD G	CRAIG TR, MERRY B	DGC REV TR 05 & MFC REV TR 05	KITTERY POINT	ME	03905	\$1,011,500		
20	18-36-1 6 FOLLETT LANE	CRAIG LIFE ESTATE, MARIAN G	CRAIG, KENNETH & MARKONS, LILL	6 FOLLETT LANE	KITTERY POINT	ME	03905	\$834,300		
21	18-46 62 PEPPERELL ROAD	ACADIA TRUST NA TRUSTEE	EST OF SIDNEY HELLWELL TRUST	5 MILK STREET	PORTLAND	ME	04101	\$867,200		
22	20-27A 11 ARMOUR DRIVE	BATEMAN, DUANE K		11 ARMOUR DRIVE	KITTERY	ME	03904	\$171,100		
23	24-47 MOORE STREET	INHABITANTS OF KITTERY	MOORE STREET GENERATOR	200 ROGERS ROAD	KITTERY	ME	03904	\$102,300		
24	26-22 79 PEPPERELL ROAD	P & S ASSOCIATES LLC		PO BOX 450	KITTERY	ME	03904	\$1,021,600		
25	26-28 70 PEPPERELL ROAD	LLOYD, ROBERT E	LLOYD, SANDRA M	PO BOX 85	KITTERY POINT	ME	03905	\$749,200		
26	26-30 66 PEPPERELL ROAD	FATE, DONALD G	FATE, PATRICIA ANN	PO BOX 42	KITTERY POINT	ME	03905	\$686,600		
27	26-31 64 PEPPERELL ROAD	POST, DAVID F	POST, DOROTHEA C	16 ATKINSON DEPOT ROAD	PLAISTOW	NH	03865	\$646,200		
28	27-01A 85 PEPPERELL ROAD	SEGERS	ELIZABETH R	78 CYPRESS STREET #2	BROOKLINE	MA	02301	\$480,100		
29	27-51 84 PEPPERELL ROAD	84 PEPPERELL, LLC		PO BOX 116	KITTERY POINT	ME	03905	\$798,600		
30	27-52 82 PEPPERELL ROAD	MILLER, MARY ARMOUR	REID, FERGUS & ROBERTS, BROOKE	92 WOODLAND ROAD	NEW CANAAN	CT	06840	\$1,085,400		
31	27-53 72 PEPPERELL ROAD	MOYNIHAN TRUSTEE, JOANNE H		PO BOX 148	KITTERY POINT	ME	03905	\$760,600		
32	34-19 6 GOOSE POINT	WATT, ROBERT C	WATT, EUNICE M	6 GOOSE POINT	KITTERY POINT	ME	03905	\$283,000		
33	36-04-1 141-143-147 PEPPERELL ROAD HOLLINGSWORTH, PAUL D	MCINTIRE, ROGER E	BARLETTA, PAULA A	147 PEPPERELL ROAD	KITTERY POINT	ME	03905-5113	\$14,000		
34	36-04-2 145 PEPPERELL ROAD			145 PEPPERELL ROAD	KITTERY POINT	ME	03905-5113	\$14,300		
35	36-53 165 PEPPERELL ROAD	SAHL, JANET	SAHL, ROBERT F	165 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$262,700		
36	36-54 167 PEPPERELL ROAD	THOMAS, MARGARET M		167 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$153,000		
37	36-55 169 PEPPERELL ROAD	NEAL, JANICE A		169 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$170,600		
38	36-67 4 KEEN AVENUE	HOOPER	SANDRA P	4 KEEN AVENUE	KITTERY POINT	ME	03905	\$254,300		
39	36-69 154 PEPPERELL ROAD	BRADY, MATTHEW W	BRADY, CAMILLE M	154 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$285,600		
40	36-70 152 PEPPERELL ROAD	PORTNOY, NEIL	REYNOLDS, SUSAN E	152 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$239,200		
41	36-72 150 PEPPERELL ROAD	H A MAPES INC		288 RIVER STREET	SPRINGVALE	ME	04083	\$325,500		

10.
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MAPLOT	Location	Grantee	Cogrant	Mailing	City	State	Zip	Total Assessed Value
42	36-78 148 PEPPERELL ROAD	PETERSON, MARY		148 PEPPERELL ROAD	KITTERY POINT	ME	03905	\$178,700
43	36-81 140 PEPPERELL ROAD	DEAN III, JAMES	DEAN, DIANNE C	140 PEPPERELL RD	KITTERY POINT	ME	03905	\$579,700
44	44-40 43 CHAUNCEY CREEK ROAD	LYNCH	CHARLES S	13 POCAHONTAS ROAD	KITTERY POINT	ME	03905	\$466,900
45	44-43 40 CHAUNCEY CREEK ROAD	SEAWARD	GALE A	40 CHAUNCEY CREEK ROAD	KITTERY POINT	ME	03905	\$122,400
46	51-03 32 POCAHONTAS ROAD	ARSENALUT, ELIZABETH SULLIVAN		PO BOX 152	KITTERY POINT	ME	03905	\$869,700
47	51-09 76 POCAHONTAS ROAD	INHABITANTS OF KITTERY		PORT FOSTER	KITTERY POINT	ME	03904	\$500,700
48	52-11 6 POCAHONTAS ROAD	RAYNES, LESTER M	RAYNES, MILDRED	6 POCAHONTAS ROAD	KITTERY POINT	ME	03905	\$500,700
49	52-12 4 POCAHONTAS ROAD	SEAWARD, KAREN L	SEAWARD III, WILLIAM W	SEAWARD, DONNA L	PAID AUTO	CA	94306	\$524,000
50	52-13 2 POCAHONTAS ROAD	SEAWARD TR, DANIEL O	DANIEL O SEAWARD REV IV TR 7/8/04	2 POCAHONTAS ROAD	KITTERY POINT	ME	03905	\$626,900
51	53-1-1 197 GOODWIN ROAD	TRACISER, JACK G	MOONEY, LAURIE B	97 GOODWIN ROAD	KITTERY POINT	ME	03905	\$873,400
52	53-1-2 95 GOODWIN ROAD	MOONEY, EDWARD F	LEWIS, FRANCIS	93 GOODWIN ROAD	KITTERY POINT	MA	02199	\$873,500
53	53-1-3 93 GOODWIN ROAD	DEMETH, LEWIS, AMANDA K	LEWIS, FRANCIS	93 GOODWIN ROAD	KITTERY POINT	MA	02199	\$873,500
54	53-1-4 91 GOODWIN ROAD	STELMAN TR, MARSHA H	MARSHA STELMAN 2004 REV TRUST	790 BOSTON STREET APT 21H	KITTERY POINT	MA	02199	\$873,500
55	53-7 110 GOODWIN ROAD	CARLSON, JOHN M	BLODEAU, MAUREEN M	110 GOODWIN ROAD	KITTERY POINT	ME	03905	\$1,082,600
56	56-03-2 5 HIGH PASTURE ROAD	BLODEAU, PAUL A		5 HIGH PASTURE ROAD	KITTERY POINT	ME	03905	\$393,600
57	58-22 9 TOWER ROAD	HILL, DAVID B		9 TOWER ROAD	KITTERY POINT	ME	03905	\$599,400
58	58-37 47 TOWER ROAD	RICHARDSON, GERALD A	RICHARDSON, FREDA P	47 TOWER ROAD	KITTERY POINT	ME	03905	\$566,800
59	58-38D 65 TOWER ROAD	LANCOT TR, ROGER W	LANCOT TR, LOUISE L	ROGER WILLIAM LANCOT TRUST	BEDFORD	NH	03110	\$652,200
60	58-39 69 TOWER ROAD	EDDY TR, JANICE W	JANICE W EDDY REV TRUST	PO BOX 27	KITTERY POINT	ME	03905	\$921,000
61	58-39A 59 TOWER ROAD	GRIMES, MARGARET A	GRIMES, BRUCE J	59 TOWER ROAD	KITTERY POINT	ME	03905	\$684,400
62	58-42 73 TOWER ROAD	ARRIS TRUSTEE, RAYMOND J	THRON TRUSTEE, MARY	PO BOX 96	KITTERY POINT	ME	03905	\$1,074,400
63	58-42A 73 TOWER ROAD	KANE TR, THOMAS S	THOMAS S KANE REV TRUST	PO BOX 113	KITTERY POINT	ME	03905	\$908,100
64	58-43B 54 GOODWIN ROAD	HARRIOTT, JESSE S	13 HARRIOTT ROAD	13 HARRIOTT ROAD	JAFREY	NH	03452	\$402,700
65	58-46 81 TOWER ROAD	FREDERICK JR, ALBERT R	FREDERICK, EVELYN C	BUILDING 10 PHW	CHESTNUT HILL	MA	02467	\$1,057,600
66	58-51H 4 TOWER ROAD	DAWSON TR, CARL	GOODMAN TR, SUSAN	CD TRUST & SG TRUST	NEWARK	DE	19711	\$421,800
67	58-58 78 GOODWIN ROAD	CHARLESWORTH, SARAH & AGNES	CHARLESWORTH, ROSEMARY & ROGER	C/O ROSEMARY CHARLESWORTH	NEW YORK	NY	10003	\$961,600
68	58-63 90 GOODWIN ROAD	BISIG, RICHARD W	WOLSTAIT, JANNINE LYNN BANER	90 GOODWIN ROAD	KITTERY POINT	ME	03905	\$1,054,900
69	58-69 25 GOODWIN ROAD	SPINNEY	RONALD E	25 GOODWIN ROAD	KITTERY POINT	ME	03905	\$391,000
70	61-088 11 KITTREE LANE	HEWETT, VIRGINIA D		11 KITTREE LANE	KITTERY	ME	03904	\$285,500
71	62-15A 52 BARTLETT ROAD	ADAMS, CHRISTOPHER J	ADAMS, ELAINE S	52 BARTLETT ROAD	KITTERY POINT	ME	03905	\$269,700
72	62-15C 4 ABES WAY	LEAVITT, DAVID A		PO BOX 147	KITTERY POINT	ME	03905	\$255,500
73	62-15C 2 ABES WAY	LARCK, JACK L	LARCK, LINDA	2 ABES WAY	KITTERY POINT	ME	03905	\$293,800
74	62-17 3 PINKHAMS LANE	BRADSTREET, ELIZABETH A	LANE, MICHAEL L	3 PINKHAMS LANE	KITTERY POINT	ME	03905	\$288,700
75	63-54A 5 SHEPHERDS WAY	MCDONALD, MAUREEN	BETTAUJA, PATRICIA	5 SHEPHERDS WAY	KITTERY POINT	ME	03905	\$361,500
76	64-15 36 THAYER LANE	CRAWFORD, PHILIP R		30 SPANISH RIVER DRIVE	OCEAN RIDGE	FL	32435	\$966,500
77	68-108 102 BARTLETT ROAD	SMALL, DALE R		PO BOX 188	KITTERY POINT	ME	03905	\$310,800
78	69-02A 6 GALLEY FARM LANE	DRISCOLL, JOHN F	DRISCOLL, AMY L	6 GALLEY FARM LANE	KITTERY POINT	ME	03905	\$313,500
79	71-01-1 16 POCAHONTAS ROAD	HAUSTED, AMY MARILLA		16 POCAHONTAS ROAD	KITTERY POINT	ME	03905	\$592,800
80	71-01-3 9 CAPTAINS WAY	FARRAH	ALBERT L	9 CAPTAINS WAY	LAWRENCE	MA	01841	\$611,600
Total Assessed Value for all Coastal Properties Newly Effected by the Prelim FIRMA								\$49,920,600
Total Assessed Value for Properties with the Appeal Study Area								\$25,990,800

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UNAPPROVED MINUTES

KITTERY TOWN COUNCIL

May 28, 2014

COUNCIL CHAMBERS

1. Call to Order

Chairperson Thomson called the meeting to order at 7:00 P.M.

2. Introductory

Chairperson Thomson read the introductory.

3. Pledge of Allegiance

Chairperson Thomson led those present in the Pledge of Allegiance.

4. Roll Call

Answering the roll were Chairperson Jeffrey Thomson, Councilors Russell White, Charles Denault, Judy Spiller, Frank Dennett and Jeffrey Pelletier.

5. Agenda Amendment and Adoption –

The agenda was accepted as presented.

6. Town Manager's Report

Town Manager Puff indicated relative to bike safety, that they were working to develop signage to put around town.

Town Manager Puff noted that Detective Steve Hamel had been awarded a Certificate of Outstanding Contribution from the US Attorney's Office in Maine relative to a criminal case.

Town Manager Puff stated that absentee ballots were available in the town clerk's office Monday through Thursday from 8 A.M. to 6 P.M. with the deadline being June 5th.

Harbormaster Mike Blake came to the podium to give an update on the BIG project. He explained how the design had changed and that it would be much more beneficial to the fishermen. He continued that it would be voted on by the KPA on June 5th. He noted some subsequent permitting would be required. Councilor Spiller asked what the additional cost would be. Harbormaster Blake responded that it would be around \$2,000.

7. Acceptance of Previous Minutes – 5/12/14 & 5/19/14

The minutes of 5/12/14 & 5/19/14 were accepted as amended.

8. Interviews for the Board of Appeals – None

UNAPPROVED MINUTES

29 9. All items involving the town attorney, town engineers, town employees or other town
30 consultants or requested officials –

31 The Kittery Town Council moves to hear an update from George Kathios, Superintendent
32 of Sewer Services and Mark Thompson of Kleinfelder on the sewer infrastructure, budget and
33 bid schedule.

34 George Kathios, Superintendent of Sewer Services, came to the podium and undated the
35 Council on the current status of the sewer infrastructure projects going on in town and the
36 expected bid dates and completion dates. Mark Thompson of Kleinfelder came to the podium
37 and stated that 4.4 million in bonds had been approved by the town but that the current
38 construction estimate had increased to 4.6 million due to some unforeseen upgrades that were
39 needed. He continued they would have the bids in hand on June 18th and would update Council
40 at that time. Mr. Thompson stated they had currently removed one infrastructure component to
41 stay within the budget which would bring it to 4.265 million. He continued that once they
42 received the reimbursements from Eliot and the Shipyard, the cash flow would be positive.
43 Chairperson Thomson asked why there was an extra expense at the pump station. Mr.
44 Thompson replied that some of the equipment was at the end of its life and some things were not
45 in code. Chairperson Thomson stated that he was concerned that these issues were not noticed
46 when the estimate was made. Councilor Dennett asked about some of the insurance requirement
47 issues which were previously discussed. Mr. Thompson stated that the narrative changes had
48 been made and the extra changes would be incorporated by the time bids went out.

49 10. PUBLIC HEARINGS -

50 a. (050314-1) The Kittery Town Council moves to hold a public hearing to authorize the
51 transfer of \$20,000 from unassigned surplus, pursuant to Sec. 6.09(2) of the Kittery Town
52 Charter, to fund consulting services associated with filing an appeal to FEMA associated with
53 the newly revised Flood Insurance Rate Maps.

54 Chairperson Thomson stated this public hearing was advertised in the local, printed
55 media on 5/19.

56 Bob Gerber came to the podium and indicated that the original flood maps were
57 developed in the 1980's with very early technology. He continued that in 2003 FEMA had put
58 together new guidelines and increased evaluations and then the municipal appeals started in
59 2010. Mr. Gerber stated that halfway through that process, they stopped the process and went
60 back and reevaluated and now insurance premiums were going up and more properties would be
61 affected. Mr. Gerber stated that he had access to more sophisticated methods with more
62 information. He continued that the maps really needed to be improved and it would be more
63 beneficial to do a broad based re-mapping rather than doing individual properties. Chairperson

UNAPPROVED MINUTES

64 Thomson asked if the appeal process had started. Mr. Gerber responded that it had not, but they
65 were expecting it to start any day.

66 Chairperson Thomson then opened the public hearing.

67 Ken Lamont came to the podium and stated that his property was in the new flood zone.
68 He continued that he had been in contact with Senator Collins's office and thought this was a
69 federal problem. He stated now that more states were involved it might be a good idea to go to
70 the US Senate.

71 Don Krag came to the podium and stated that the waterfront properties in town paid
72 much higher taxes and the loss of that revenue could be huge for Kittery. He continued he
73 thought the town should move forward with this and help its residents out.

74 Mary Trown came to the podium and stated that she owned two properties that we in the
75 new flood zone and would like the opportunity to be included in the appeal.

76 Chairperson Thomson then closed the public hearing.

77 Councilor Dennett stated that he supported supporting the residents but did not support
78 paying the \$20,000 right now because FEMA was not coming after them right now and that
79 more information was needed. Chairperson Thomson indicated they should change the wording
80 to up to \$20,000 and that nothing would be spent until the appeal was filed. He continued there
81 may be action from the US Senate and all they would be doing that night was okaying an amount
82 to be transferred and spent if the process comes forward.

83 **COUNCILOR WHITE MOVED TO AUTHORIZE THE TRANSFER OF UP TO**
84 **\$20,000 FROM UNASSIGNED SURPLUS, PURSUANT TO SEC. 6.09(2) OF THE**
85 **KITTERY TOWN CHARTER, TO FUND CONSULTING SERVICES ASSOCIATED**
86 **WITH FILING AN APPEAL TO FEMA ASSOCIATED WITH THE NEWLY REVISED**
87 **FLOOD INSURANCE RATE MAPS, SECONDED BY COUNCILOR PELLETIER.**

88 Councilor Pelletier indicated that he supported funding one appeal but would like to see
89 the affected parties move forward and pledge more money. Councilor Dennett asked if it would
90 be an appeal for all of the affected parties. Mr. Gerber responded that it would not, and it would
91 only be for areas that were in a certain area. Councilor Dennett indicated that he would like to
92 know which properties were involved and stated that he could not support this at this time.
93 Chairperson Thomson stated he could support getting more information for Council and they
94 could postpone this item for two weeks. Councilor White noted that the town was a directly
95 affected property and should support this in its own self-interest. Councilor Pelletier stated he
96 supported this item and was reluctant to postpone it.

UNAPPROVED MINUTES

A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR DENNETT AND COUNCILOR DENAULT OPPOSED. 4/2.

Councilor Dennett noted that this was put on the agenda as an emergency measure and that it needed five votes to pass. Chairperson Thomson asked if Council challenged his affirmative ruling. Councilor Dennett responded that he did.

A ROLL CALL WAS TAKEN ON THE CHALLENGE WITH COUNCILOR DENAULT, COUNCILOR SPILLER AND COUNCILOR DENNETT OPPOSED. FAILS 3/3.

Councilor Spiller stated that she suggested that someone sponsor this item on the next agenda.

11. DISCUSSION

a. Discussion by members of the public (three minutes per person) –

Bob Harris came to the podium and indicated that he thought that the road beds needed to be fixed and not just the roads.

b. Chairperson's response to public –

Chairperson Thomson responded that he agreed and thanked Mr. Harris for his comment.

12. UNFINISHED BUSINESS – None

13. NEW BUSINESS

a. Donations/gifts received for Council disposition - None

b. (050314-2) The Kittery Town Council moves approve the disbursement warrants.

COUNCILOR SPILLER MOVED TO APPROVE THE DISBURSEMENT WARRANTS, SECONDED BY COUNCILOR PELLETIER, WITH ALL IN FAVOR.

c. (050314-3) The Kittery Town Council moves to approve a renewal application from Chios Pizza, Inc., 49 Griffin Road, Portsmouth, NH for a Malt Liquor License for Town Pizza Restaurant, 15 Wentworth Street, Kittery.

COUNCILOR DENNETT MOVED TO APPROVE A RENEWAL APPLICATION FROM CHIOS PIZZA, INC., 49 GRIFFIN ROAD, PORTSMOUTH, NH FOR A MALT LIQUOR LICENSE FOR TOWN PIZZA RESTAURANT, 15 WENTWORTH STREET, KITTERY, SECONDED BY COUNCILOR PELLETIER.

UNAPPROVED MINUTES

127 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
128 **6/0.**

129 d. (050314-4) The Kittery Town Council moves to authorize the deposit of \$7,289.89
130 from the sale of the 1983 Mack Fire Truck into CIP Account #4013, Fire Apparatus.

131 **COUNCILOR SPILLER MOVED TO AUTHORIZE THE DEPOSIT OF \$7,289.89**
132 **FROM THE SALE OF THE 1983 MACK FIRE TRUCK INTO CIP ACCOUNT #4013,**
133 **FIRE APPARATUS, SECONDED BY COUNCILOR DENAULT.**

134 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
135 **6/0.**

136 e. (050314-5) The Kittery Town Council moves to schedule a public hearing and ordain
137 an amendment to Title 5, Businesses and Licensees, Section 5.10 Use of Public Way to allow
138 outdoor seating in the Foreside zone.

139 **COUNCILOR WHITE MOVED TO SCHEDULE A PUBLIC HEARING AND**
140 **ORDAIN AN AMENDMENT TO TITLE 5, BUSINESSES AND LICENSEES, SECTION**
141 **5.10 USE OF PUBLIC WAY TO ALLOW OUTDOOR SEATING IN THE FORESIDE**
142 **ZONE ON JUNE 9TH, SECONDED BY COUNCILOR PELLETIER, WITH ALL IN**
143 **FAVOR.**

144 f. (050314-6) The Kittery Town Council moves to approve the annual renewal list for
145 Victualers Licenses.

146 **COUNCILOR PELLETIER MOVED TO APPROVE THE ANNUAL RENEWAL**
147 **LIST FOR VICTUALERS LICENSES, SECONDED BY COUNCILOR WHITE.**

148 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
149 **6/0.**

150 g. (050314-7) The Kittery Town Council moves to approve the annual renewal list for
151 the Amusement Devices Licenses.

152 **COUNCILOR SPILLER MOVED TO APPROVE THE ANNUAL RENEWAL**
153 **LIST FOR THE AMUSEMENT DEVICES LICENSES, SECONDED BY COUNCILOR**
154 **PELLETIER.**

155 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
156 **6/0.**

157 h. (050314-8) The Kittery Town Council moves to appoint a representative to meet with
158 the Chair of the Shellfish Conservation Committee to interview Jean Tracey for her appointment
159 to that board until 4/1/15 (replacing Jeffrey Hazen).

160 **COUNCILOR DENNETT MOVED TO APPOINT COUNCILOR WHITE TO**
161 **MEET WITH THE CHAIR OF THE SHELLFISH CONSERVATION COMMITTEE TO**

UNAPPROVED MINUTES

162 **INTERVIEW JEAN TRACEY FOR HER APPOINTMENT TO THAT BOARD UNTIL**
163 **4/1/15, SECONDED BY CHAIRPERSON THOMSON.**

164 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
165 **6/0.**

166 i. (050314-9) The Kittery Town Council moves to approve a request from Tom
167 LaVallee of "The Church at Spruce Creek" to use Fort Foster for their Youth Group to camp
168 overnight from Saturday, July 19th after 3 P.M. through Sunday, July 20th, leaving at
169 approximately 6:00 P.M.

170 **COUNCILOR DENNETT MOVED TO APPROVE A REQUEST FROM TOM**
171 **LAVALLEE OF "THE CHURCH AT SPRUCE CREEK" TO USE FORT FOSTER FOR**
172 **THEIR YOUTH GROUP TO CAMP OVERNIGHT FROM SATURDAY, JULY 19TH**
173 **AFTER 3 P.M. THROUGH SUNDAY, JULY 20TH, LEAVING AT APPROXIMATELY**
174 **6:00 P.M., SECONDED BY COUNCILOR SPILLER.**

175 **A ROLL CALL VOTE WAS TAKEN WITH ALL IN FAVOR. MOTION PASSES**
176 **6/0.**

177 14. **COUNCILOR ISSUE OR COMMENT**

178 Councilor Spiller stated she would like to encourage residents to contact Senator
179 Collins's Office relative to the flood maps.

180 Councilor Spiller noted that York and Wells have posted seasonal turtle crossing signs
181 and asked the Town Manager to look into that.

182 Councilor Denault indicated that he had heard complaints about dogs on Shapleigh Field
183 and was concerned about cutting the hours of the animal control officer.

184 Councilor Denault stated that he had been to the talent show at Shapleigh School and the
185 parking was extremely bad because there were two events scheduled for the same night.

186 Councilor Denault noted he had received some calls there were some streaming issues
187 and stated that he thought they needed to come up with a policy.

188 Councilor Denault indicated that he thought they should initiate a spending freeze.

189 15. **COMMITTEE AND OTHER REPORTS**

190 a. **Communications from the Chairperson –**

191 Chairperson Thomson stated that the debris left over from the construction project was
192 still there and asked that issue be looked into.

UNAPPROVED MINUTES

193 Chairperson Thomson stated Council would be having a workshop with the Planning
194 Board next Monday at 6.

195 b. Committee Reports --

196 Chairperson Thomson stated relative to the J1 Committee, that an item had come up that
197 one hospitality act for the students could be to give them free admission to Fort Foster and that it
198 would be put on the June 9th agenda.

199 Councilor White noted that he was pleased that the Brownfields Grant had been approved
200 for Wood Island.

201 16. EXECUTIVE SESSION -- None

202 17. ADJOURNMENT

203 **COUNCILOR WHITE MOVED TO ADJOURN, SECONDED BY**
204 **CHAIRPERSON THOMSON WITH ALL IN FAVOR. MEETING ADJOURNED AT**
205 **8:57 P.M.**

206

207

208

209

REVISED 6/5/14 3:30 pm

OVERVIEW FOR TOWN COUNCIL MEETING

JUNE 9, 2014

Awards Presented to Kittery Seniors

- Funding for Recycling Scholarships was made possible through the contributions of redeemable containers by the residents of Kittery
- We partner with CLYNK to process the redeemable containers – they come to us to pick up
- We ask the residents of Kittery to continue their support of this worthwhile scholarship and ask others to begin to contribute their redeemable containers
- The Resource Recovery Facility (RRF) has tagged CLYNK bags available for residents to fill and return
- Once filled, bring the bag back to the RRF and get another one
- Together we can fund more scholarships for these deserving individuals and programs
- ALL proceeds go to funding future scholarships
- We thank all those who contributed to this worthwhile cause

Kittery Educational Scholarship Committee

Scholarship Recipients for 2014			
Gavin Frisbee	\$750	<i>Joseph Lombardi</i>	\$1,500
Hailey Frisbee	\$750	<i>Emily Hartley</i>	\$1,500
Kaitlen McCluskey	\$1,500	<i>Jonathan Davis</i>	\$1,500
Michael L McCluskey	\$750	<i>Bailey Lincoln</i>	\$1,000
Jessica Batchelder	\$1,000	<i>Jocelyn Lorrey</i>	\$750
Selena Lorrey	\$1,500	<i>Alexandria Sillsby</i>	\$750
Evan Leake	\$750	<i>Mark Lambrecht</i>	\$750
Kathryn Gill	\$1,000	End 68 Hours of Hunger	\$1,000
Mary Kennison	\$1,000	Robo Rangers Robonics	\$1,000
Evan Scott Pereira	\$750	Odyssey of the Mind	\$1,000
		TOTAL:	\$20,500

**Articles for
Town Meeting/Secret Ballot Vote
June 10, 2014**

Article 2: Shall the town vote to authorize Town Council to transfer up to \$125,000 from unassigned funds (unencumbered surplus) and appropriate and expend up to \$125,000 when necessary into account #2022 Compensated Absences, to maintain a positive fund balance to pay for accrued vacation and /or sick leave to settle any unpaid benefits owed to retiring employees in FY'15?

Town Council Recommends - Vote: Yes No

Explanation: The purpose of this article is to provide funds when and if necessary in FY'15, to pay for accrued benefits owed retiring employees. This article transfers funds from the town's unassigned funds (unencumbered surplus) when a municipal employee retires. The reserve account balance is currently \$80,751.76. The purpose of this article in FY'15 is to pay only claims during the year to meet the town's liability and to return the reserve fund to a positive balance.

Article 3: Shall the town vote to authorize Town Council to transfer an amount not to exceed \$25,000 from unassigned funds (unencumbered surplus) when necessary and appropriate and expend up to \$25,000 for the purpose of paying the town's cost on accepted insurance claims against the town?

Town Council Recommends - Vote: Yes No

Explanation: The article requests exposing up to \$25,000 from the town's unassigned funds (unencumbered surplus) for use, when necessary, to pay the deductible and other associated costs on insurance claims instead of raising an amount from taxation within the town budget.

Article 4: Shall the town vote to authorize Town Council to transfer an amount not to exceed \$100,000 from unassigned funds (unencumbered surplus) when necessary and appropriate and expend up to \$100,000 for the purpose of providing the town's match to federal, state and non-profit grants?

Town Council Recommends - Vote: Yes No

Explanation: The Town Council expects continued applications to be filed for grants in a variety of areas by different town departments to assist with the operations and capital purchases. These grants, if successful, often require a local match to be raised. The article requests that up to \$100,000 from the town's surplus be transferred by the Town Council for the local match share of grants when received and accepted by the Town Council.

Article 5: Shall the town vote to authorize Town Council to transfer from unassigned funds (unencumbered surplus) an amount not to exceed \$40,000, when necessary and appropriate, and expend said amount to cover shortfalls in the FY'15 town departments' fuel accounts due to the unpredictable fuel pricing markets?

Town Council Recommends - Vote: Yes No

Explanation: The article is a result of the review of individual departments' vehicle and heating fuel accounts and the unstable fuel market pricing. This account would provide departments, who have exhausted their allocated fuel budgets, access to emergency fuel funds. The Town Council favored keeping the FY'15 fuel and utility accounts as low as possible, with the concept of this article exposing surplus funds as a safety net in case the market remains unstable.

Article 6: Shall the town vote to authorize Town Council to transfer an amount not to exceed \$40,000 from unassigned funds (unencumbered surplus) when necessary and appropriate and expend said amount for the purpose of providing the town's General Assistance Program as required by town, state and federal laws in FY'15?

Town Council Recommends - Vote: Yes No

Explanation: The General Assistance Program is budgeted from the town's operational budget each year. The program assists town citizens with welfare type services by following very strict state and federal guidelines for income eligibility within the General Assistance Ordinance. This article proposes to create a method, as in past years, for the Town Council to keep the General Assistance budget at level funding. If the General Assistance costs exceed the budget, this article would allow the Council to transfer an amount up to \$40,000 from surplus to cover the overage.

Article 7: Shall the Town vote to authorize Town Council to transfer an amount not to exceed \$50,000 when necessary from the unassigned funds (unencumbered surplus) and to appropriate and expend said amount at the discretion of the Town Council to pay for emergency repairs and energy efficiency improvements to town-owned facilities that are not contemplated in the regular FY'15 operating budget?

Town Council Recommends - Vote: Yes No

Explanation: Occasionally, repairs to town facilities are needed that have not been budgeted. In addition, energy efficiency projects are being identified to further save the town funds. This Article allows the Town Council the discretion to make emergency facility repairs and undertake energy efficiency projects through the use of up to \$50,000 from the Town's unassigned funds (unencumbered surplus).



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date: May 28, 2014
From: Gerry Mylroie, Town Planner
Subject: Title 5 Amendment – Use of the Public Way in the Mixed Use – Kittery
Foreside Zone – Applicability Extension to December 31, 2014
Councilor Sponsor: Jeffrey Thomson, Council Chair

EXECUTIVE SUMMARY

The Town Council amended Title 5, Businesses and Licenses, Section 5.10, Use of the Public Way on June 10, 2013 to allow seasonal outdoor seating and tables in the public right-of-way in the Foreside Zone through December 31, 2013. The Planning Board is recommending Town Council conduct a public hearing and take action to retroactively extend the applicability of the amendment beginning January 01, 2014 and ending on December 31, 2014.

STATEMENT OF NEED

Town Council adoption of the subject Amendment to Title 5 Businesses and Licenses, Section 5.10, Use of the Public Way is required to continue the use of seasonal outdoor seating and tables in the public right-of-way in the Foreside Zone. This amendment continues the support of the town to improve Kittery's quality of place and business conditions in this zone.

BACKGROUND

Town Council adopted an amendment to Section 5.10, Use of the Public Way Ordinance on June 10, 2013. Since then property owners have taken advantage of the amendment with welcomed success. Most notable is AJ's Wood Grill Pizza that has provided outdoor seating and tables in Kittery Foreside.

FACTS BEARING ON THE EQUATION

There have been no reported issues or negative concerns with this use of the public way.

CURRENT SITUATION

Title 5 Businesses and Licenses, Section 5.10 Use of the Public Way, currently allows for seasonal outdoor seating and tables in the public right-of-way in the Mixed Use-Kittery Foreside Zone until calendar year 2013.

PROPOSED SOLUTION/RECOMMENDATION

An agenda item to schedule a public hearing will be initiated for the May 28, 2014 Town Council meeting. It is recommended upon completion of the public hearing that Town Council take affirmative action and adopt the amendment to Town Code, Title 5 Businesses and Licenses, Section 5.10, use of the Public Way to retroactively extend the applicability of the amendment beginning January 01, 2014 and ending on December 31, 2014.

RATIONALE FOR THE PROPOSED SOLUTION (INCLUDING COSTS)

The cost to the Town of Kittery for continuation of this amendment is zero. Kittery's Foreside's quality of place and business conditions are improved by allowing seasonal outdoor seating and tables in the public right-of-way.

The following minor amendment have been made to Section 5.10.4 of the Kittery Town Code:

Line #95: Strike out the words "for the" and add the
Word "through"

Line #95: Strike out the year "2013" and add the year "2014"

Attachments:

- (1) Amended Kittery Town Code Title 5, Section 5.10
- (2) Ordinance to amend Title 5, Chapter 5.10

Town Code Title 5 – Amendment to Section 5.10.4

Chapter 5.10

5.10.1 Title. USE OF THE PUBLIC WAY

This chapter is known as the Use of the Public Way ordinance.

5.10.2 Intent and Purpose.

A. It is the purpose of this chapter to promote more attractive, communal, orderly and functional pedestrian-oriented streetscapes, including outdoor benches, seating, tables and chairs. Site furnishings shall be furnished and maintained by the business/property owners and merchants for public use and are not for the exclusive use of the patrons of a particular business.

B. In return for the privilege of use of the public way, merchants and business/property owners are expected to self-police themselves to provide and maintain said site furnishings according to their submitted sketch plan and approved Use of Public Way Permit.

C. This chapter is further intended to specifically prevent unsafe passage of pedestrians that could occur along sidewalks that are compromised by the use of site furnishings.

5.10.3 Definitions.

Terms, phrases and words in this chapter have the meaning given herein or, if not defined, are given their ordinary accepted meaning:

Public Way means the area between the street curb (or edge of street pavement if curb does not exist) and the property line. If a land title survey or other official documentation demonstrating the location of the property line is not provided, it will be assumed that the public way extends to the building façade.

Site furnishings means those elements and site amenities that are shown on the site plan that accompanies the Use of the Public Way permit and approved by the Code Enforcement Officer (CEO) and Town Planner. Such elements may include, but are not limited to: benches, tables, chairs, umbrellas, bicycle racks, and trash receptacles. Excluded elements include: vending and soda machines, refrigerated cabinets, ice machines, freezer chests and other like appliances. There will be no signage and/or advertising associated with the site furnishings unless as reviewed and approved by the CEO and Town Planner per Town Code Title 16, Chapter 8, Article X Signs.

Use of the Public Way Plan is the map identifying those properties the Town Council deems eligible to apply for a permit to use the Public Way, as defined within this Chapter, without prior Town Council approval.

Pedestrian Access Route (PAR) must be free of obstructions and, at a minimum, include the following:

1. Surfaces must be firm, stable, and slip resistant. Concrete or asphalt must be free of holes and depression. Gratings, access covers, and other appurtenances must not be located on curb ramps, landings, and gutters within the PAR;
2. Width clearance must be 4 feet minimum, with a continuous passing width of 5 feet;
3. Passing width at a 200-foot intervals must be 5 feet by 5 feet minimum;
4. Vertical clearance must be 7 feet in height

5.10.4 Applicability.

The regulations of this chapter apply only to those properties located in the Mixed Use Kittery Foreside Zone, and for the through calendar year ~~2013~~ 2014.

AN ORDINANCE relating to Title 5, Business Licensees and Regulations of the Kittery Town Code section to extend the applicability period from calendar year 2013 to 2014 for the use of the public right-of-way by property and business owners to promote an active sidewalk environment with a strong pedestrian orientation in the Mixed Use – Kittery Foreside Zone, by amendment to Town Code as more particularly set forth herein.

WHEREAS, The Kittery Town Council is authorized to enact this Ordinance, as specified in Section 2.07 (3) of the Town Charter and 30-A M.R.S. §3001, pursuant to its powers that authorize the town, under certain circumstances, to provide for the public health, safety and welfare, not intending for this Ordinance to conflict with any existing state or federal laws; and

WHEREAS, the Town Council intends, through the adoption of this Ordinance, to implement and promote goals and implementation strategies pursuant to the Kittery Comprehensive Plan, Sections B9 and G8 to revise nonresidential district zoning standards to promote economic growth, carrying out the purposes and general policies statements and strategies of the Plan; and

WHEREAS, the Council finds these ordinance provisions pursuant to and consistent with the Kittery Comprehensive Plan, striking a reasonable balance among the Town's various zoning goals and wishes to extend the applicability of the ordinance from calendar year 2013 to calendar year 2014;

NOW THEREFORE, IN ACCORDANCE WITH TITLE 30-A, M.R.S. §3001, AND TOWN CHARTER SECTION 2.14:

THE TOWN OF KITTERY HEREBY ORDAINS THE FOLLOWING ORDINANCE TO BE CODIFIED IN THE TOWN CODE, AMENDING TITLE 5, CHAPTER 5.10, SECTION 5.10.4, APPLICABILITY OF THE USE OF THE PUBLIC WAY, AS PRESENTED.

INTRODUCED and read in a public session of the Town Council on the ____ day of _____, 20____, by: _____ {NAME} Motion to approve by Councilor _____ {NAME}, as seconded by Councilor _____ {NAME} and passed by a vote of _____-.

THIS ORDINANCE IS DULY AND PROPERLY ORDAINED by the Town Council of Kittery, Maine on the ____ day of _____, 2014, _____ {NAME}, Chairperson

Attest: {NAME}, Town Clerk



TOWN OF KITTERY
Office of the Town Clerk
200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1328 Fax: (207) 439-6806

167500
67160-10015

APPLICATION FOR VIEWING BOOTHS LICENSE

Name of applicant: Capital Video Corporation
(please print)

Applicants Address: 44 Bedson Rd Cranston RI 02910 Telephone No.: 401 414-4800
(please print)

Business Name: Amazing Net
(please print)

Business Address: 92 Route 236 W. Kittery ME 03904 Telephone No.: 207-439-6285
(please print)

Business Mailing Address: 44 Bedson Rd Cranston RI 02910
(please print)

Name of Owner: Capital Video Corp. Name of Operator: Robert DeRusha
(please print) (please print)

Number of Viewing Booths to be Licensed: 8

Have you ever had a license to conduct such a business denied or revoked? Yes ☐ No ☒

If so, describe the circumstances specifically:

Additional information: _____

\$ 160.00 Annual License Fee: \$20.00 per Viewing Booth

SIGNATURE OF APPLICANT: Margaret Leung DATE: 4/23/14

APPLICANTS NAME: Margaret Leung
(please print)

PLEASE SUBMIT THIS FORM AND APPROPRIATE FEE TO THE TOWN CLERK'S OFFICE



ACTIVE RETIREMENT ASSOCIATION

Expand your World

www.unh.edu/ARA

*Enclosure
needs to be
approved*

May 22, 2014

Janice Grady

Director/General Manager

Kittery Community Center

120 Rogers Road

Kittery ME 03904

2063-43600

*5/30/14
Sent
thank you*

Dear Ms. Grady,

On behalf of the Seacoast Active Retirement Association (ARA), I want to thank you for permitting the ARA to utilize the Kittery Community Center to hold our meetings and programs this past year. In appreciation, the ARA Board of Directors has approved a \$200.00 donation to the Community Center. A check in that amount is enclosed.

While most of our membership is comprised of individuals from New Hampshire, our numbers in Maine are increasing each year. We hope that we can continue to utilize your facility in the future and bring our membership to Kittery so many more of them can enjoy the beautiful Community Center.

Sincerely,

Bob
Bob Hylen

President

ACTIVE RETIREMENT ASSOCIATION		54-7001/2114	2440
P.O. BOX 421 DURHAM, NH 03824		DATE	May 20, 2014
PAY TO THE ORDER OF	Kittery Community Center	\$	200 00/100
Two Hundred Dollars & no cents		DOLLARS	1
FEDERAL SAVINGS BANK DOVER, NEW HAMPSHIRE 03820		Eagle Money Fund	
MEMO	Donation	Dorothy J. Kealy	
⑆ 2114 700181 ⑆ 27003 3410 2440			



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date: June 9, 2014
From: Gerald Mylroie, AICP, Town Planner/Director of Town Planning and Development
Subject: Kittery Destination and Marketing Program – Route 1 Bypass Business Area Brand Name – Kittery Gateway

EXECUTIVE SUMMARY

Move to approve the destination marketing brand name for the Route 1 Bypass area as “Kittery Gateway.”

STATEMENT OF NEED

Town Council adoption of the destination brand is needed in case any business area signage is desired (and paid by the property owners) or required.

BACKGROUND

Town Council adopted the destination marketing program in May 23, 2011 to help update and promote Kittery’s town-wide brand (i.e., Historic Kittery- Maine’s First Port) and its businesses in various business areas in Town.

The brand names established the basis for the new Interstate 95 signage and subsequent town signs and marketing activities (e.g., Kittery Foreside Block Party, etc.)

Branding the Route 1 Bypass area was proposed as part of Phase II. Now is the time to decide. This is because of the pending construction of the Sarah Mildred Long Bridge, related new intersection at Bridge Street and the 236 overpass. Accordingly, under the auspices of the Town Planning Board property and business owners along and around the Bypass have met, considered options and recommend branding the area as “Kittery Gateway”; (e.g., Shop, Eat, Stay in Kittery Gateway). (Note: Portsmouth is considering branding their area Portsmouth Gateway/ Gateway Park, etc. so this is a parallel name for the areas on either side of the Sarah Mildred Long Bridge.)

Owners want to re-brand the area as well as continue to improve the visual appeal and development. This is the first step and they welcome your consideration.

FACTS BEARING ON THE EQUATION

(See above)

CURRENT SITUATION (STATUS WITH TOWN COUNCIL)

Action requested on a Phase II recommendation.

PROPOSED SOLUTION/RECOMMENDATION

Move to approve the destination marketing brand name for the Route 1 Bypass area as "Kittery Gateway".

RATIONALE FOR THE PROPOSED SOLUTION (INCLUDING COSTS)

(See above)

ATTACHMENTS:

1. Dan Corcoran, Chair, Route 1 By-Pass Property Owners Group Memo of May 27, 2014
2. Portsmouth Herald Editorial, January 21, 2014
3. Kittery Destination Marketing Program, adopted by Town Council May 23, 2011

May 27, 2014

MAY 29 2014

TO: The Honorable Jeffrey Thomson, Chair, Town Council and Town Selectpersons

BY: _____

From: Dan Corcoran, Chair Route 1 By Pass Property Owners Group

Re: Kittery Maine Destination Marketing Program- Route 1 By Pass Branding

Request/Action

Town Council is requested to approve branding the Route 1 By Pass area as "Kittery Gateway" as part of the Town of Kittery's Destination Marketing Program.

Background

The Kittery Town Council adopted the Destination Marketing program in response to the closing of and reconstruction of the Memorial Bridge. With the scheduled construction of a new Sarah Mildred Long Bridge, property and business owners along the Route 1 By Pass have been meeting to discuss issues and opportunities.

During three meetings, a group of property owners and residents discussed the "By Pass" and its future with a new bridge and increased traffic in both directions. Discussion included vehicle, bicycle and pedestrian use of the highway as well visual improvements that could be made along the roadway. In order to include as many interested participants as possible, the final meeting was noted in the Portsmouth Herald and by postcards to nearby residents and business owners encouraging them to attend or convey their thoughts by telephone or email to the Kittery Town Planner, Gerry Mylroie.

In the course of the meetings, approximately, twenty different names were suggested as a "brand" for what will be the new By pass area. At the final session, the group recommended that the area be referred to as "Kittery Gateway."

We believe that there is a great opportunity to change the appearance, the character, the business activity and improve property values along this highway.

I also call your attention to the attached article from the Portsmouth Herald "Kittery leading the way....."

Thank you for your consideration. We are pleased to discuss this further if desired.

Kittery leading way on Bypass upgrades

January 21, 2014 2:00 AM

The Sarah Mildred Long Bridge connects the Route 1 Bypass of Portsmouth to the Route 1 Bypass of Kittery, Maine. On both sides of the bridge, the roadway, as its name implies, has been seemingly bypassed by the 21st century, by other parts of the city and town that are quaint and much more attractive. There is nothing quaint and little attractive about the Bypass — a gas station and porn alley on the Portsmouth side, and a hodgepodge of motels, garages and small businesses on the Kittery side. And yet, work begins within the year on a signature new Long Bridge replacement, its design more reminiscent of Europe than the United States. Within three years, the new bridge will be completed and will connect with ... what? Gasoline stations and motels?

It turns out, those same thoughts have been on the minds of Kittery officials and business owners. In a forward-thinking, bold move, the town and its business community have begun an effort to turn around the Bypass much in the same way it is turning around Kittery Foreside. They foresee the day in the near future when the new bridge provides new opportunities. When the 20-ton load restriction on the current bridge is a thing of the past, and loaded tractor-trailer trucks can travel freely. When bicyclists traveling over the new bridge open up a new potential source of economic opportunity. When Navy veterans and their families make the pilgrimage from Albacore Park in Portsmouth to the Thresher Memorial Park in Kittery. And perhaps most importantly, when Portsmouth reaches critical commercial mass, as it inevitably will, and Kittery is just a modern bridge away.

And so they are planning now for a future they all anticipate is going to come. At a recent meeting of the group, they talked conceptually about "branding" the area to perhaps be called the "Gateway to Maine." They talked about creating some sort of park area just as people drive over the bridge into Kittery. Planning Board Chairman Tom Emerson suggested there be a statue of a lobster or moose, something that speaks of Maine and would cause summer visitors to come over the Long Bridge and stop to take a picture. They envision adding green space, trees and attractive street lamps to the roadway. They suggested ditching the very name "Bypass" and instead renaming the road. And they are talking about these ideas now, not a year from now, or two, or three when the bridge is built.

Portsmouth would do well to listen to its neighbors to the north. The city appears laser-focused on development in its downtown core, to the apparent exclusion of the rest of the city. And yet so close to the Northern Tier development is the sorry, neglected, ugly Bypass. The city has a tremendous opportunity before it to do something creative and innovative there, to plan now for the immediate future.

Forward-thinking Kittery is getting ready, and it will no doubt be adding to its tax base and further burnishing its reputation as an affordable, welcoming place to do business.



Town of Kittery, Maine
Town Planning Board and
Town Planning and Development Department
200 Rogers Road, Kittery, ME 03904
Telephone: (207) 439-0459 Fax: (207) 439-6806
www.kittery.org

To: Jon Carter, Town Manager and Town Council
From: Town Planning Board via Gerry Mylroie, ACIP, Town Planner
Date: May 18, 2011

Re: **Report to Council** **ADOPTED May 23, 2011**
Kittery Destination Marketing Program – Update

Background

- Town Planning Board – Local Business efforts since December 2010; over 10 meetings and 100 business and property owners plus one web and one hard survey mailed to all Foreside business owners (encl 1); supported Historic Kittery-Maine's First Port and Portside brand.
- Town Planning Board – Council Workshop, March 24, 2011(materials previously provided)
- Executive Summary – Recommendation, April 19, 2011 (not encl)
- Council Public Hearing, Phase I, April 25, 2011 (materials previously provided)
 - Motion to Approve (postponed to May 23, 2011):

"Move to approve adoption of Phase I of a Kittery Destination Marketing Program as recommended including:

- *Promote "Historic Kittery";*
- *Rename the "Traffic Circle" as "Memorial Circle";*
- *Name the business area around the intersection of Walker Street and State Road as Foreside Crossing;*
- *Brand the Trading Post and Outlet area Coastal 1 Kittery;*
- *Authorize the Town Manager and staff to meet with the Maine Department of Transportation and Maine Turnpike Authority to update signs to recognize and promote Kittery; and,*
- *Approve the use and installation of "welcome", "directional", and "destination" signs as shown in the attached exhibits subject to final approval as budgets permit."*

Current Situation:

KITTERY DESTINATION MARKETING PROGRAM PHASE I:

Action detail to be implemented with approval:

Item 1:

Re-affirm the Town of Kittery Maine as the brand name and brand logo as the Town Seal.

Adopt the Town brand tag line as "Historic Kittery - Maine's First Port - 1647". (encl 2)

Item 2:

Kittery Memorial Circle – Re-name the current traffic circle to Kittery Memorial Circle and upgrade it to a ceremonial circle with granite curbing, lighted flag pole and lawn; a clean, elegant symbol of our gratitude for citizen service to our country. Other memorials would be relocated to appropriate settings.

Item 3:

Foreside Crossing - Brand the area generally including the area on either side of State Road (Memorial Drive) from the wetlands and vantage point of Memorial Bridge on the north to the Walker-Government street intersections and including the Navy Yard railroad track crossing, York Hospital site, TD Banknorth, Loco Coco's, Water District site and gourmet food shops.) (map, encl 3)

Item 4: Coastal 1 Kittery – Brand the current Coastal Route 1 Kittery Trading Post/Outlet area from the KTP to Lewis Road. Use brand for marketing such as "Shop at Kittery Trading Post, Tanger or Premium Outlets or dine at the Weathervane or Robert's at Coastal 1 Kittery – where you can "Shop+Eat+Stay+Play".

Item 5:

I-95 Maine Turnpike Signs

Town will work with the MDOT and MTA to implement the following I-95 sign program:

Northbound sequence from New Hampshire to Kittery Memorial Circle

Pre-Exit 1	Green Sign:	Historic Kittery Maine – Next 3 Exits
		Fort McClary – Naval Museum- Fort Foster
Pre Exit 2	Blue Services Sign:	Gas – Food – Lodging – Supplies
	or,	Kittery Town Center – Foreside - Trading Post and Outlets
Exit 1	Green Sign:	to 103 Navy Yard - Kittery Foreside – Eliot
Exit 2	Green Sign:	to US 1 and US 1 By-Pass Kittery Town Center –
		Memorial Circle - Foreside
Exit 3	Green Sign:	Coastal 1 Kittery - Trading Post & Outlets
Exit to Maine	Information Center	Add - Exit to Coastal 1 South

South Bound

Pre Exit 3	Green or Brown Sign:	Historic Kittery - Next 3 Exits
	Brown Sign:	Fort McClary – Naval Museum - Fort Foster - Foreside
Pre Exit 2	Blue Services Sign:	Gas – Food – Lodging – Supplies - Trading Post & Outlets
Exit 2	Green Sign:	to Kittery - S. Berwick - Trading Post & Outlets

Town/State Signs in Town

The Town will work with the MDOT to implement the following sign improvements in the Town:

Exit 1 to 103 Navy Yard - Kittery Foreside

- Exit 2 to Coastal 1 Kittery – Trading Post & Outlets – Town Center
Kittery Community Center – Kittery Center Village
Kittery Point Village – Foreside
- Exit 3 to Coastal 1 Kittery
- Intersection
236 & 103 Kittery Point Village – York – Foreside

Item 6:

Town and Destination Brand Logos and Signs:

Reflect the Town's brand name and be consistent with the historic image as follows:

- The Town brand logo is the Town Seal
- Type face will be Times New Roman italics or similar.
- Town Welcome / Entrance signs will feature: Town Seal – Welcome – Historic Kittery – Maine's First Port – 1647 (encl 4)
- All other Town signs for public buildings will have the Town Seal, same type face and historic/traditional color background and frame.

Destination Directional Signs and Logos:

Use the format for each Destination Directional sign as follows: (encl 5)

- Top - Town Seal – Welcome – Historic Kittery – Maine's First Port
- Destination Name Sign
 - Directional Arrow
 - Destination Logo and Destination Name such as:
 - Shopping Bag Coastal 1 Kittery
 - Tall Ship Foreside
 - Lighthouse Kittery Point Village

Destination Signs:

Install small destination signs at the entrance of major destinations (brown background/yellow trim) (encl 6):

- Kittery Center Village (encl 7)
- Kittery Point Village/Pepperrell Cove
- Foreside

Town Welcome / Entrance Signs – Locations:

Install Town entrance / welcome signs at major transportation borders as budget permits including (encl 3):

- US 1 North – at York Town Line
- Sarah Long Bridge – at US 1 By-Pass
- I-95 off ramps – Exits 2 and 3
- Memorial Bridge – at State Road or re-named Memorial Drive (US 1)
- Route 236 – at Eliot Town Line
- Route 103 – at Eliot Town Line
- Route 103 – at York Town Line

Maps and Collateral Marketing Materials:

The Town has and will work with private business and property owners and citizens to update and have prepared maps and collateral materials.

KITTERY DESTINATION MARKETING PROGRAM PHASE II:

The Town Planning Board recommended additional Town and sub-area geographic “destination marketing” and planning and development considerations (Appendix A). Council review and consensus of these follow-on features is requested.

Recommendation: Approve adoption, as presented

1 Appendix: Phase II Considerations

6 Enclosures:

1. Survey of Foreside Business Owners.
2. Town Seal – Tag Line
3. Foreside Crossing Area Map
4. Welcome Sign Example – to include original town seal
5. Destination Directional Sign Example
6. Destination Entrance Sign Example
7. Petition by Business Owners and Tenants to be included as Kittery Center Village

END REPORT TO COUNCIL

APPENDIX A: PHASE II CONSIDERATIONS

Address Town and sub-area geographic “destination marketing” and Town planning and development Planning Board Recommendations as follows:

Adopt or re-affirm the following destination and related geographic area brands: (see attached Town Planning Board’s Kittery 2020 Destination Marketing Plan map.)

- **Town Center** – the area along the 236/103 corridor from Kittery Estates /Town Hall/Memorial Circle easterly along Rogers Road/236 to the Kittery Community Center with Spruce Creek on the north and Orchard Grove Cemetery ridge on the south and the sub-area brands:
 - **Town Municipal Center**
 - **Kittery Historic and Naval Museum**; with improved front yard and entrance.
 - **Kittery Community Center at Frisbee Common / Rogers Park**
- **Memorial Circle and Drive** – (State Road re-branded and linked with Memorial Bridge)
 - **Legion Pond** – neighborhood and business area around and generally parallel with current Old Post Road, Route 1, State Road from the south side of Memorial Circle ridge to north side of Walker Road with sub-brands:
 - **Legion Pond Corner** at Old Post Road and Dennett Road
 - **Legion Pond**
 - **Memorial Field**
- **Portside** – neighborhood and business area previously referred to as Downtown, Kittery Village, Foreside (DMP use e.g. “Visit Historic Kittery Portside - Shop + Eat + Stay + Play.”)
 - **Wallingford Square** – existing (DMP use e.g. Visit Wallingford Square in Historic Kittery Foreside – Shop + Eat + Stay + Play”.
 - **Rice Public Library**
- **Kittery Center Village** – area along the Rogers Road/Shapleigh (236/103) corridor from the Kittery Community Center at Frisbee Common with Spruce Creek on the north and Orchard Grove Cemetery ridge and Navy Yard railroad tracks on the south and the sub-area brands:
 - **Post Office Square.**
 - **Kittery Community Center and Rogers Park**
 - **Emery Field**
- **Kittery Point Village** – business area on 103 at Pepperrell Cove and surrounding neighborhood and sub-brands:
 - **Pepperrell Cove** e.g. Shop at Frisbee Market/ Enoteca in Kittery Point Village or Sail to the Pepperrell Cove Landing in Kittery Point Village.”
 - **Lewis Square or Mitchell School Corner** - neighborhood around Mitchell School and intersection of Pepperrell Road and Haley Road.
- **Gateway** - area around current Route 1 By-Pass from the Sarah Long Bridge to Memorial Circle with sub-area brands:
 - **South Gate** – the entrance area at north side of the Bridge.
 - **Gateway Boulevard** - (current US 1 By-Pass) maintaining its “thru traffic function” but with upgraded streetscape to a more historic traditional gateway boulevard with street trees, possible landscaped raised center islands and turning lanes, set back pedestrian walkways and lined with existing and other appropriate mixed uses with limited driveway curb cuts and signalized intersections.
- **Coastal 1 Kittery** – Sub-area brands:
 - **Pine Tree Center at Cutts Road** – area around intersection of Route 1 and Cutts Road.

- **North Gate / Landmark Hill or Northgate Village at Route 1** and Town boundary on the north; a neighborhood village center serving residents in Kittery and York.

Maine State Information Center – intersection of Route 1 and the MSIC entrance. This intersection greatly improved with “traffic calming roadway design feature (e.g. center island or rotary) to slow down traffic and create a special entrance to Kittery, improved historic signs and fall color trees and landscaping.

- **Westside** – area west of I-95 with sub-brands:
 - West Gate – area at the Route 236 Eliot Town Line.
 - Westside 236 Parkway – Route 236
 - Shapleigh – neighborhood around the Shapleigh School and Field.
- **Kittery Business Park** – west of I-95 between Dennett Road and the Westside/236 Parkway.
- **Other Destination Attractions / Current or Possible Brand Names and DMP Uses**
 - Portsmouth Naval Shipyard in Kittery Maine
 - Fort McClary
 - Fort Foster
 - Rachel Carson Wildlife Refuge
 - Traip Academy in Historic Kittery Portside
 - Traip Boat Launch
 - Shapleigh School/Field in Shapleigh or Westside Kittery
 - Mitchell School at Lewis Square or Mitchell Corner
 - Rice Public Library in Historic Kittery Portside
 - Town Dock at Wallingford Square in Historic Kittery Portside
 - Emery Field in Kittery Center Village
 - Town Barn Dock off Dennett Road
 - Kittery Point Village Fire Station at Lewis Square
 - Kittery Gateway Fire Station on Gorges Road
 - Eastern Bicycle Trail
 - Chauncy Creek Lobster Shack in Kittery Point
 - Kittery Arts Center in Historic Kittery Foreside or Kittery Foreside Arts Center
 - Auto Works off Memorial Drive in Historic Kittery Foreside
 - Lobster Market in Kittery off Gateway Boulevard
 - Taylor’s Fish Market on Westside 236 Parkway in Kittery
 - Badgers Island in Historic Kittery Foreside
 - Warren’s Lobster House in Historic Kittery Foreside.
 - Kittery Memorial Cemetery
 - Haley Road
 - Lewis Farm
 - Norton
 - Bartlett
 - Spinney’s Creek with Old Town Barn
 - Morse Park
 - Legion Pond
 - Shapleigh
- **Other Steps**
 - Traditional street lights with banners installed.
 - Winter white lights on Town, Village or other business district street trees.

- Trolley Service provided within the Coastal 1 Kittery destination and between it and Kittery Point Village/Pepperrell Cove and Foreside's Wallingford Square, Foreside Crossing and Town Center / Town and Naval Museum.
- Quality improvement Plan preparation and implementation for each business destination area.
- Joint business marketing programs e.g. shop, eat, stay coupons, advertising, web postings, event coordination, etc.

END

KITTERY TOWN COUNCIL

April 25, 2011

COUNCIL CHAMBERS

1. Call to Order

Chairperson Spiller called the meeting to order at 7:00 P.M.

9. PUBLIC HEARINGS –

a. (040211-1) The Kittery Town Council moves to hold a public hearing to approve Phase I of a Destination Marketing Program.

Chairperson Spiller opened the public hearing. Town Planner Mylroie came to the podium and stated this issue came as a result of efforts started in the fall to help business development in the area and to minimize the potential impact on the businesses from the closure of the bridge. Town Planner Mylroie noted the first idea the group had come up with was developing a tagline for Kittery and the ideas were “Welcome to Historic Kittery, Maine” or “Maine’s First Port”. He continued the second idea was to rebrand the traffic circle to “Memorial Circle”. Town Planner Mylroie then noted the third idea was to come up with a consistent name for the Foreside area. He continued that as a result of discussions with business owners, the Foreside Committee and two surveys the preference was “Portside”. Town Planner Mylroie indicated they needed to provide more signage and direction to the area. He continued that he thought the name of the area should be decided by the town but they should pick one name and be consistent. Town Planner Mylroie stated the fourth idea was to rename the business area currently known as “Gourmet Alley”. He continued the consensus was to refer to the area as “Portside Crossing”. Town Planner Mylroie noted the fifth idea was to rebrand the outlet area to “Coastal Route 1”. He continued the final idea was to rename the Post Office Square area to “Kittery Center Village”. Town Planner Mylroie stated they were looking for Council’s approval so they could begin working with Maine DOT and Maine Turnpike Authority to begin working on signage and that he hoped there would be some cost sharing with the state on the signage.

Janet Gourley of Whipple Road came to the podium. Ms. Gourley stated as a member of the State Garden Club she supported changing the name of the traffic circle to “Memorial Circle”. Ms. Gourley continued she was a former member of the Foreside Committee and they had put a lot of work into revitalizing the area and that she did not support changing Foreside to Portside. She continued the name Foreside was very old and thought the historic name should be kept.

Elaine Peverly came to the podium. Ms. Peverly stated that Kittery was a very historic town and they needed to use all they could to further that and thought they should keep the name Foreside.

Vicky Wentworth came to the podium. Ms. Wentworth indicated that her father was the Chair of the Foreside Committee for 10 years. She continued she was hesitant to rename any areas of the town. Ms. Wentworth noted she understood the rebranding idea but thought the name Foreside should not be changed and that it might be more confusing to people if it was changed to Portside.

Ben Porter came to the podium. Mr. Porter indicated he was a member of the Foreside Design Review Committee and he had been working closely with Town Planner Mylroie on this issue. He continued Kittery was being faced with a potential bridge closure for 18 months at a minimum and needed to sustain business growth in the town. Mr. Porter stated it was essential to refer to the areas in Kittery with consistent names and that they needed to have better signage and that he was in favor of the plan that had been laid out.

Susan Emery came to the podium. Ms. Emery stated she thought the town needed to promote its history and thought they should stay with the historic names already in place. She continued she thought the town should put it to a referendum for residents to vote on.

Tom Emerson came to the podium. Mr. Emerson stated he did not care what the areas were called but that the names needed to be consistent.

Lori Pratt, a business owner in the Foreside area, came to the podium. Ms. Pratt stated most of the business owners were ambivalent about the name of the area but that they needed signage.

Chairperson Spiller then closed the public hearing.

Councilor Dennett stated he was not adverse to getting more signage but was opposed to most of the other changes. Councilor Guy indicated he was not sure about changing the name of the Foreside area but thought that the marketing of Kittery was critical. Councilor Dow indicated he thought they needed to establish a name and start the signage process. He continued he thought they should keep the Foreside name. Councilor Beers thanked and gave compliments to Town Planner Mylroie for his work on the issue. He also thanked the businesses and residents who had contributed their thoughts and efforts on the issue. Councilor Beers stated they needed to create an environment to retain a business structure. He continued he supported changing the traffic circle to "Memorial Circle" but would prefer to keep the Foreside name. Councilor Beers indicated he thought that "Portside Crossing" could be called "Foreside Crossing" and would then support the recommendation.

COUNCILOR BEERS MOVED TO APPROVE ADOPTION OF PHASE I OF A KITTERY DESTINATION MARKETING PROGRAM AS RECOMMENDED FOLLOWING:

- 1. PROMOTE HISTORIC KITTERY;**
- 2. RENAME THE "TRAFFIC CIRCLE" AS "MEMORIAL CIRCLE";**
- 3. NAME THE BUSINESS AREA AROUND THE INTERSECTION OF WALKER STREET AND STATE ROAD AS FORESIDE CROSSING;**
- 4. BRAND THE TRADING POST AND OUTLET AREA AS COASTAL 1 KITTERY;**
- 5. AUTHORIZE THE TOWN MANAGER AND STAFF TO MEET WITH THE MAINE DEPARTMENT OF TRANSPORTATION AND MAINE TURNPIKE AUTHORITY TO UPDATE SIGNS TO RECOGNIZE AND PROMOTE KITTERY; AND,**
- 6. APPROVE THE USE AND INSTALLATION OF "WELCOME", "DIRECTIONAL", AND "DESTINATION" SIGNS AS SHOWN IN THE ATTACHED EXHIBITS SUBJECT TO FINAL APPROVAL AS BUDGETS PERMIT.**

Councilor Dennett asked for and received clarification that the use of the Town Seal would be the actual Town Seal and not the representation included in the packet. Councilor Dennett stated he could not vote in favor that evening but he had some issues with the proposal. Councilor Thomson indicated that he could not vote in favor that evening as he had issues with the proposal as well. He continued he did not think that they needed to take action on the issue

that evening and he thought they should take one more shot at making a cleaner more concise proposal.

COUNCILOR THOMSON MOVED TO POSTPONE ACTION UNTIL THE REGULAR MEETING SCHEDULED FOR MAY 23rd, SECONDED BY COUNCILOR DENNETT.

A ROLL CALL WAS TAKEN WITH COUNCILOR BEERS OPPOSED. MOTION PASSES 6/1.

KITTERY TOWN COUNCIL

May 23, 2011

COUNCIL CHAMBERS

1. Call to Order

Chairperson Spiller called the meeting to order at 7:00 P.M.

b. (040211-1) The Kittery Town Council moves to approve Phase 1 of a Destination Marketing Program.

Councilor Dennett indicated his problems with the proposed document which Town Planner Mylroie indicated would be changed.

COUNCILOR BEERS MOVED TO AMEND THE MAIN MOTION TO ADD ITEM 7 AUTHORIZING KITTERY CENTER VILLAGE AS PRESENTED, SECONDED BY COUNCILOR DOW.

A ROLL CALL VOTE WAS TAKEN WITH COUNCILOR DENNETT OPPOSED. MOTION PASSES 6/1.

Chairperson Spiller stated the main concern was to get people from 95 and Route 1 to the businesses in town and that they needed clear, directional signage.

A ROLL CALL VOTE WAS TAKEN ON THE MAIN MOTION WITH COUNCILOR DENNETT OPPOSED. MOTION PASSES 6/1.

END